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6 Attorneys for Plaintiff
7 METROPOLITAN LIFE INSURANCE COMPANY

12 || METROPOLITAN LIFE INSURANCE
COMPANY,

Plaintiff,

v.

ELIZABETH BRO; JEAN JONES; MARY CUNNINGHAM; TERESA KNIGHT; and CARRIE ZUNCH.

Defendants.

Case No. C 10-1312 MEJ

**NOTICE TO COURT AND PARTIES OF
DEPOSIT OF FUNDS AND REQUEST
FOR DISMISSAL WITH PREJUDICE;
~~[PROPOSED]~~ ORDER DISMISSING
PLAINTIFF WITH PREJUDICE**

TO THE COURT AND ALL PARTIES APPEARING HEREIN:

20 PLEASE TAKE NOTICE that pursuant to this Court's September 21, 2010 Order (ECF
21 No. 21), on October 12, 2010, plaintiff Metropolitan Life Insurance Company ("MetLife")
22 deposited with the Clerk of the Court for the United States District Court, Northern District of
23 California, the sum of \$39,710.01, which represents the total amount of the disputed life
24 insurance benefits payable under the Pacific Gas and Electric Company Employee Welfare Plan
25 ("Plan") at issue in this action, with interest accrued thereon.

26 Accordingly, pursuant to this Court’s September 21, 2010 Order, MetLife respectfully
27 requests that the Court discharge MetLife, Pacific Gas and Electric Company, and the Plan from
28 any further liability with regard to the \$39,710.01 (“Plan Benefits”); restrain and enjoin all of the

1 Defendants from instituting any action or proceeding in any state or United States court against
2 MetLife, Pacific Gas and Electric Company, or the Plan for the recovery of Plan Benefits, by
3 reason of the death of the Orlen Moore and that MetLife be dismissed with prejudice from this
4 litigation.

5 DATED: October 14, 2010 Respectfully submitted,

6 SEDGWICK, DETERT, MORAN & ARNOLD LLP

7 By: /s/ Erin A. Cornell

8 Rebecca A Hull

9 Erin A Cornell

Attorneys for Plaintiff

10 METROPOLITAN LIFE INSURANCE COMPANY

11 **ORDER**

12 Pursuant to plaintiff Metropolitan Life Insurance Company's ("MetLife") Notice of
13 Deposit of Funds and this Court's September 21, 2010 Order (ECF No. 21), the Court hereby
14 ORDERS that MetLife, Pacific Gas and Electric Company, and the Pacific Gas and Electric
15 Company Employee Welfare Benefit Plan are discharged from any further liability with regard
16 to the life insurance benefits payable under the Pacific Gas and Electric Company Employee
17 Welfare Plan as a consequence of the death of Orlen Moore; that the Defendants are restrained
18 and enjoined from instituting any action or proceeding in any state or United States court against
19 MetLife, Pacific Gas and Electric Company, or the Pacific Gas and Electric Company Employee
20 Welfare Benefit Plan for the recovery of life insurance benefits payable as a consequence of the
21 death of Orlen Moore, and that Metropolitan Life Insurance Company is hereby dismissed with
22 prejudice from this litigation.

23
24 IT IS SO ORDERED.

25 DATED: October 14, 2010

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27 _____
28 Honorable Maria Elena James
United States Magistrate Judge